

Notice of Allowability

Application No.

09/912,221

Examiner

Cheukfan Lee

Applicant(s)

HAAS ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed March 14, 2005.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 24 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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1. All pending claims 1-17 are allowed. Claims 1, 11 and 17 are independent.

2. The following is an examiner's statement of reasons for allowance:

Independent claims 1 and 11 and their dependent claims 2-10 and 13-16, respectively, were indicated allowed in the previous Office Action dated December 15, 2004. Reasons for allowance given in that Office Action are repeated later in this Action.

Claim 17 has been amended to further define the transparency adapter as having a mounting device thereof on which the document is placed, and having a light table operating state and a transparency adapter operating state, the light table operating state defined to be a state in which the transparency adapter illuminates the transparent media with a stationary light source of the adapter for viewing, and the transparency adapter operating state a state in which the transparency adapter illuminates the transparent media with the stationary light source for scanning with the scanner having a light source and a platen.

The examiner agrees with Applicant on the remarks on pages 7-8 of the amendment filed March 14, 2005, that the previously applied prior art reference Gervais (U.S. Patent No. 6,373,556) does not teach the claim features discussed above, but instead, Gervais suggests turning on the lamps (28, 29) in the light box (12) just prior to scanning an X-ray transparency (17), and then turning off the lamps (28, 29) immediately after scanning. Therefore, Claim 17 is patentably distinct over Gervais.

Independent claims 1 and 11 and their dependent claims 2-10 and 12-16, respectively, are allowable over the closest prior art of record, Neushul (U.S. Patent No. 6,208,437) to be discussed below. The transparency adapter of each claims 1 and 11 comprises a light table comprising a stationary light source that operates in a light table state, in which the stationary light source illuminates transparent media for viewing, and a transparency adapter operating state, in which the stationary light source illuminates the transparency media while the media is being scanned by a scanner to create a scanned image. Further, the claims each require that the transparency adapter have a mounting device to hold the transparent media during the light table operating state. Furthermore, the claimed scanner has a scanner light source (other than the stationary light source), a scanner platen and a scanner lid.

The claimed transparency adapter having the two states in combination with the above features are not taught by the prior art of record, including Neushul (6,208,437).

Note that the closest prior art Neushul (6,208,437) discloses a viewing light box scanner for scanning and viewing transmissive media images. The scanning elements include a mirror (4), a lens (5) and an image sensor (6). The scanner has two states, one of which is a viewing state, in which the transmissive medium placed on transport () is illuminated with the light source (11, only for viewing the medium) for viewing, and the other state which is a scanning state, in which the transmissive medium is illuminated with a different and external light source (3, only for scanning) during scanning to generate a scanned image. Neushul does not disclose a transparency adapter as

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claimed because the scanner of Neushul used two different light sources for the two respective states, one light source located on one side of the viewing and scanning platen (1) and the other light source on the opposite side of the platen (1), whereas in the claimed invention, the same stationary light source is used in both states.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
April 13, 2005


Cheukfan Lee